

GUIDANCE MEMORANDUM¹ No. 5-02

Issue Date: December 9, 2002

Subject: Updated Application Submittal Procedures

The Department of Mines, Minerals and Energy, Division of Mined Land Reclamation (DMLR) has updated the administrative procedures for application submittal. To provide for the earliest possible review of applications by the Department of Environmental Quality (DEQ), Department of Conservation and Historic Resources (DCHR), U.S. Fish & Wildlife Service (U.S.FWS) and Department of Game and Inland Fisheries (DGIF), the following procedures for providing other agency copies of applications are effective January 2, 2003. This guidance will be effective for a thirty (30) day trial period only. At the end of the thirty-day period this Guidance Memorandum will either be modified for needed changes or become permanent if no changes are needed. A follow-up memorandum will be issued to reflect the final requirements.

Virginia Department of Environmental Quality / Water and Air Divisions (DEQ)

A copy of DMLR-PT-034e or Sections I, V (including DMLR-PT-128) and X of the DMLR-PT-034e, and Surface Water and Application Map(s) for New Applications, Transfer Applications, Acreage Amendments, Significant Revisions, and CSMO & NPDES Renewals - **Southwest Virginia Regional Office, PO Box 1688, Abingdon, VA 24212-1688**

Virginia Department of Game and Inland Fisheries (VDGIF)

A complete copy of the Application for New Applications, Acreage Amendments - **Fisheries Division, 1796 Highway Sixteen, Marion, VA 24354**

Virginia Department of Historic Resources (VDHR)

A copy of Sections I, II, VII, X of DMLR-PT-034e, and a copy of the Application Map with the location of the site on the USGS Quad map for New Applications, Acreage Amendments - **Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221**

US Fish and Wildlife Service (USFWS)

A complete copy of the Application for New Application, Acreage Amendment, Significant Revision, or CSMO Renewal - **US Fish and Wildlife Service Virginia Field Office, 330 Cummings St., Suite A, Abingdon, VA 24210**

¹ This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

“In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 9-6.14:1 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code.”

After the DMLR Field Inspector has reviewed and processed the complete application and any revision(s), **the applicant/permittee may:**

- **submit the appropriate or revision application, whichever is required, directly to the appropriate agency (ies); or**
- **submit the agency (ies) copies to DMLR, which will then submit them to the agency (ies)..**

If submitted by the applicant, the applications should be sent via certified mail with the return receipt to DMLR. If the applications are hand carried, a dated receipt must be obtained from the reviewing agency for DMLR files. The publication number, application number, company name and permit number, if applicable, must be indicated on the certified mail green card or receipt.